

Exhibit 14

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018

1-4

<p style="text-align: right;">Page 1</p> <p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 FOR THE DISTRICT OF NORTH DAKOTA</p> <p>3 NORTHWESTERN DIVISION</p> <p>4</p> <p>5 NORTHERN BOTTLING CO., INC.,)</p> <p>6 Plaintiff,)</p> <p>7 vs.) No. 4:150-cv-133</p> <p>8 PEPSICO, INC.,)</p> <p>9 Defendant.)</p> <p>10</p> <p>11 The videotaped 30(b)(6) deposition of</p> <p>12 PEPSICO, INC., by MARIO MERCURIO, called for</p> <p>13 examination, taken pursuant to the Federal Rules of</p> <p>14 Civil Procedure of the United States District</p> <p>15 Courts pertaining to the taking of depositions,</p> <p>16 taken before KRISTIN C. BRAJKOVICH, a Certified</p> <p>17 Shorthand Reporter, CSR. No. 84-3810, of said</p> <p>18 state, at Suite 2900, Three First National Plaza,</p> <p>19 70 West Madison Street, Chicago, Illinois, on the</p> <p>20 22nd day of March, A.D. 2018, at 11:36 a.m.</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 3</p> <p>1 PRESENT (Continued):</p> <p>2 RILEY SAFER HOLMES & CANCELA LLP,</p> <p>3 (Three First National Plaza,</p> <p>4 70 West Madison Street,</p> <p>5 Chicago, Illinois 60602,</p> <p>6 1-312-471-8770), by:</p> <p>7 MR. THOMAS B. QUINN,</p> <p>8 tqinn@rshc-law.com, and</p> <p>9 MS. PATRICIA MATHY,</p> <p>10 pmathy@rshc-law.com,</p> <p>11 appeared on behalf of the Defendant.</p> <p>12</p> <p>13 ALSO PRESENT:</p> <p>14 MR. CHARLES S. BIENER, PepsiCo, Inc., Senior</p> <p>15 Counsel;</p> <p>16 MS. ANA M. MCCARRON, PepsiCo, Inc., Senior</p> <p>17 Legal Specialist;</p> <p>18 MR. DARRIN MORRIS, Director, Franchise</p> <p>19 Development - Southeast Region;</p> <p>20 MS. ELIZABETH VAN HOUTEN, Director, Franchise</p> <p>21 Development, Transshipping Mitigation;</p> <p>22 MR. DAVID LEHMAN, Legal Videographer.</p> <p>23</p> <p>24 REPORTED BY: KRISTIN C. BRAJKOVICH, No. 84-3810.</p>
<p style="text-align: right;">Page 2</p> <p>1 PRESENT:</p> <p>2</p> <p>3 RAGAIN & COOK, PC,</p> <p>4 (3936 Avenue B, Suite A-2,</p> <p>5 Billings, Montana 59102,</p> <p>6 1-406-206-4831), by:</p> <p>7 MR. JAMES M. RAGAIN,</p> <p>8 jim@lawmontana.com,</p> <p>9 -and-</p> <p>10 SULLIVAN MILLER LAW,</p> <p>11 (3860 Avenue B, Suite C East,</p> <p>12 Billings, Montana 59102,</p> <p>13 1-406-403-7066), by:</p> <p>14 MS. MICHELLE SULLIVAN,</p> <p>15 michelle.sullivan@sullivanmiller.com,</p> <p>16 appeared via video teleconference on</p> <p>17 behalf of the Plaintiff;</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 4</p> <p>1 THE VIDEOGRAPHER: I'm the videographer on</p> <p>2 March 22, 2018, for the recording of the deposition</p> <p>3 of Mario Mercurio at the time of 11:36 a.m. Will</p> <p>4 the reporter please swear in the witness.</p> <p>5 (WHEREUPON, the witness was duly</p> <p>6 sworn.)</p> <p>7 MARIO MERCURIO,</p> <p>8 called as a witness herein, having been first duly</p> <p>9 sworn, was examined and testified as follows:</p> <p>10 EXAMINATION</p> <p>11 BY MR. RAGAIN:</p> <p>12 Q. Good morning, Mr. Mercurio. Could you</p> <p>13 state your name and your business address, please?</p> <p>14 A. So my name is Mario Mercurio. I'm the</p> <p>15 senior vice president, general manager for the</p> <p>16 franchise business units. My address is</p> <p>17 1111 Westchester Avenue, White Plains, New York.</p> <p>18 Q. And you have been proffered as a company</p> <p>19 witness with respect to the second topic in the</p> <p>20 deposition notice set for today?</p> <p>21 A. That's correct.</p> <p>22 Q. And what is it that you have been asked</p> <p>23 to testify about?</p> <p>24 A. Well, I just want to talk to you about,</p>

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
5-8

<p style="text-align: right;">Page 5</p> <p>1 you know, our relationship with the bottlers and 2 how we do implement the transshipment policy. It's 3 a very important program, so I'll chat with you a 4 little bit about that. I would like to chat with 5 you a little bit about -- you know, at a higher 6 level how we work with our bottlers. 7 We have something called Blue System 8 Council, where we have -- we meet quarterly. It's 9 about 14 bottlers that participate on that 10 committee. It's a great council to articulate some 11 of the issues in the system and then how do we 12 together as one blue system work together on 13 solving those problems. 14 Q. Okay. Go ahead. 15 MR. QUINN: Well, could we have a question 16 that focuses on a particular item? I'll just 17 object, but that's -- you can answer. 18 BY THE WITNESS: 19 A. So, Jim, one -- may I call you Jim? 20 BY MR. RAGAIN: 21 Q. Oh, yeah, absolutely. We know each 22 other from prior dealings. 23 A. Yeah, it's been a long time. I think it 24 was February of 2016 when we were in Minot</p>	<p style="text-align: right;">Page 7</p> <p>1 system there's two associations, there's the IBA, 2 Independent Bottler Association, and there's the 3 PCBA, the PepsiCo Bottler Association. We worked 4 directly with both of the leads of those 5 associations and created the roster for who would 6 participate on those -- who would participate in 7 those meetings. By the way, the two association 8 directors also participate in those meetings. 9 Q. Is Northern Bottling welcome to come to 10 these meetings when they happen? 11 A. What we do, Jim, we -- it's very 12 important for us to have continuity of bottlers and 13 to have a mix and match of bottlers coming in 14 because then you don't really -- you are not really 15 entrenched in the subject matter, if you come in 16 and out at different times, so, no, we do not. But 17 what we do do is, we have terms in our governance 18 where there is eight bottlers that participate all 19 of the time, and then after a two-year term, other 20 bottlers can participate on the Blue System 21 Council. So some people will come off of that 22 council, some people will go on the council. 23 The other important thing that I would 24 like to add with you is that, we do a very -- a</p>
<p style="text-align: right;">Page 6</p> <p>1 together. 2 So, you know, one of the things that is 3 very important to the system is that, you know, we 4 go to market as one unified system because, 5 obviously, customers don't really appreciate when 6 we call on them and have, you know, different 7 variations of how we go to market. 8 So one of the things that we created 9 about three years ago was this thing called Blue 10 System Council. There's usually 13 company 11 employees that come to this meeting. There are 12 always 12 bottlers that come to this meeting. 13 There's large bottlers, small bottlers. And one of 14 the reasons why we created this council was that, 15 we have to work closer, we have to work in unison 16 on issues that are in the marketplace, so that is 17 one of the things that we have established and 18 implemented about three years ago. 19 Q. Is Northern Bottling on that? 20 A. No, they are not. 21 Q. How were the people selected that are on 22 the blue -- Blue System Council, is that what it is 23 called? 24 A. That's correct. So, you know, in the</p>	<p style="text-align: right;">Page 8</p> <p>1 very nice job providing minutes of all of those 2 meetings, so it's not like the independent, smaller 3 bottlers are not seeing what goes on in those 4 meetings. 5 Q. And with respect to -- I mean, is 6 transshipment one of things that the Blue System 7 Council is presently discussing? 8 A. Yes. 9 Q. And what are you trying to accomplish? 10 A. So working with the bottlers, it's just 11 very -- it's a very important topic for us because, 12 obviously, it causes a lot of friction within the 13 system. So, again, it's very important to me, it's 14 very important to PepsiCo. So there's been a lot 15 of discussion about changing the process for how we 16 implement the transshipment program, and it's a 17 great opportunity to, you know, listen to the 18 bottlers and hear their concerns and see how we 19 could do things possibly a little bit differently. 20 Q. Like what? 21 A. Taking the fines up. 22 Q. Taking the fines up? 23 A. Yes. 24 Q. Okay. To what? What has been</p>

PEPSICO INC
NORTHERN BOTTLING vs PEPSICOMarch 22, 2018
9-12

<p style="text-align: right;">Page 9</p> <p>1 suggested?</p> <p>2 A. So what I want to talk to you about,</p> <p>3 it's been suggested, this is not done yet because</p> <p>4 we are still discussing this with the bottlers.</p> <p>5 But, once again, at the last BSC meeting, which was</p> <p>6 just recently last week in Utah -- I was not at</p> <p>7 that meeting. As you know, for the record, I'm</p> <p>8 retiring, so my replacement was there. But he's --</p> <p>9 we are moving forward on taking the 20-ounce fines</p> <p>10 from \$11 up to \$17.</p> <p>11 Q. I'm not sure what to ask you,</p> <p>12 Mr. Mercurio, because you have been offered to</p> <p>13 testify as to Topic No. 2. Do you have any</p> <p>14 knowledge of any policies, procedures, rules,</p> <p>15 regulations, plans, and actions promulgated and/or</p> <p>16 implemented by PepsiCo, Inc., for the purpose of</p> <p>17 preventing transshipment into the territories of</p> <p>18 independent bottlers outside of the northeastern</p> <p>19 United States?</p> <p>20 A. Well, I would tell you that as Darrin</p> <p>21 spoke, you know, we have made an investment in</p> <p>22 improving our pallet tracing. We put that in</p> <p>23 place. That was about a \$300,000 investment. We</p> <p>24 also enabled bottlers -- again, coming out of the</p>	<p style="text-align: right;">Page 11</p> <p>1 areas.</p> <p>2 Q. Have you made Northern Bottling aware of</p> <p>3 all of these items?</p> <p>4 A. Well, through the Blue System Council</p> <p>5 and through the minutes, he's very aware of it</p> <p>6 because the minutes are very well written, they are</p> <p>7 done two weeks after each meeting, and they are</p> <p>8 circulated to the entire bottling system. So, yes,</p> <p>9 he is aware.</p> <p>10 Q. So he's going to know the details of</p> <p>11 each of the items that you just listed off. I</p> <p>12 don't have to go over them with you on the record</p> <p>13 today?</p> <p>14 A. Yes, he should.</p> <p>15 Q. Okay. Thanks. Anything else?</p> <p>16 A. No. I would just say the other thing</p> <p>17 that is a little frustrating for me and I think for</p> <p>18 the team here is that I'm very disappointed that</p> <p>19 the bottler in Minot, North Dakota, did not go on</p> <p>20 the offensive. We put in place an unbelievable</p> <p>21 program to help him. As you know, I flew out there</p> <p>22 personally because I feel I have an obligation to</p> <p>23 do that bottler to try to help and solve this</p> <p>24 thing.</p>
<p style="text-align: right;">Page 10</p> <p>1 Blue System Council, some of the feedback was the</p> <p>2 claims took too long to process. We enabled that.</p> <p>3 That cost another \$110,000 into the system. We cut</p> <p>4 off source transship of product from Vistar,</p> <p>5 Culinary Ventures, and please keep in mind that we</p> <p>6 work very closely with our regional vice presidents</p> <p>7 in the field to do that. Just those two customers</p> <p>8 in the southeast, that was about a \$4.5 million</p> <p>9 loss to PBC.</p> <p>10 Also in the Midwest, I know Liz spoke a</p> <p>11 little bit about it, but there's a number of</p> <p>12 customers in the Midwest that we reduced programs,</p> <p>13 we stopped sales, we increased price. That was a</p> <p>14 \$2 million hit to the Midwest region, and basically</p> <p>15 on how we are going about it and cutting off more</p> <p>16 customers, there's about a \$6 million headwind in</p> <p>17 2018. We revised the PBC employee transshipment</p> <p>18 policy. We had each employee at each different</p> <p>19 function go through that new policy. They had to</p> <p>20 sign off on that new policy.</p> <p>21 And we also, as Jim spoke about this</p> <p>22 morning, included, you know, Tropicana and Quaker</p> <p>23 distributors, new language that prevents them from</p> <p>24 transshipping or diverting product into different</p>	<p style="text-align: right;">Page 12</p> <p>1 I didn't even get the courtesy of going</p> <p>2 out to the stores to have that group go out into</p> <p>3 the stores with me. And I went out to Enerbase, I</p> <p>4 went out to Envision, I talked to the store</p> <p>5 managers, and actually even when I read the</p> <p>6 deposition, the thing that was really troubling to</p> <p>7 me, the customer deposition was, it wasn't about</p> <p>8 price. It was about the way in which the bottler</p> <p>9 went after this account. And, quite frankly, they</p> <p>10 were quite arrogant on how they handled that, and</p> <p>11 as a result of that, we lost all of that business.</p> <p>12 And what Langer basically said to me</p> <p>13 when I was in the meeting with him, he basically</p> <p>14 said, Well, we have lost customer in the past.</p> <p>15 We'll just take our time and they'll come back.</p> <p>16 Well, here we are. You know, some of</p> <p>17 them came back but some of them didn't come back,</p> <p>18 and it's just a little disappointing. I have other</p> <p>19 bottlers that do not give diverters or anybody else</p> <p>20 a chance of selling product into their marketplace,</p> <p>21 not one little inch, and I feel that in Minot, they</p> <p>22 did not do that, and we are in the situation that</p> <p>23 we are in.</p> <p>24 Q. And -- okay. Anything else? And</p>

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
13-16

<p style="text-align: right;">Page 13</p> <p>1 legitimately, I want to hear about it.</p> <p>2 A. No. I just -- again, I would say that</p> <p>3 we take transshipment very seriously. Again, if --</p> <p>4 you know, it's very important because, again, it</p> <p>5 has a -- you have to work with the bottlers. We do</p> <p>6 consider them our business partners, and in order</p> <p>7 to get alignment, we have to make sure that we do</p> <p>8 the right thing on that front, and that is what we</p> <p>9 are doing.</p> <p>10 MR. RAGAIN: That's all I have, Tom.</p> <p>11 MR. QUINN: Okay. Let me just ask one or two</p> <p>12 follow-up questions.</p> <p>13 EXAMINATION</p> <p>14 BY MR. QUINN:</p> <p>15 Q. On this issue of customer relations and</p> <p>16 the role that a bottler, such as Northern's,</p> <p>17 relations with its customer, plays in transshipping</p> <p>18 occurring and then in mitigating transshipping,</p> <p>19 could you tell us in a little more detail what it</p> <p>20 is that can cause a customer to actually kick a</p> <p>21 Pepsi bottler like Northern out of its stores.</p> <p>22 A. Yeah. Let me just -- I'll just talk</p> <p>23 Northern specifically. So Northern is a high share</p> <p>24 bottler. Northern has a very aggressive CDA,</p>	<p style="text-align: right;">Page 15</p> <p>1 Northern wasn't listening. I don't think that</p> <p>2 Northern was flexible, and I think the customer</p> <p>3 just had enough. And they -- and they went to any</p> <p>4 means -- and reading the deposition, Core-Mark</p> <p>5 said, Look, we did not approach the customer. The</p> <p>6 customer approached us because it's not a high</p> <p>7 margin item for us and it's not something that we</p> <p>8 really want to carry on our trucks.</p> <p>9 And the other problem was, I went out</p> <p>10 into the stores personally, there was a limited --</p> <p>11 the distribution was limited, so there was some</p> <p>12 Mountain Dew, there was some Pepsi. Some stores</p> <p>13 had Diet Pepsi, some stores didn't have Diet Pepsi,</p> <p>14 so these customers really wanted Langer to come</p> <p>15 back in and service his stores. But,</p> <p>16 unfortunately, couldn't come to terms with how they</p> <p>17 could make that CDA work in that case.</p> <p>18 Q. Now, you also mentioned in your</p> <p>19 testimony about the need to go on offense. Has</p> <p>20 PepsiCo from time to time, whether it's Northern or</p> <p>21 otherwise, also attempted to help bottlers</p> <p>22 recapture accounts that may have kicked them out</p> <p>23 because of issues like the ones that you just</p> <p>24 testified about?</p>
<p style="text-align: right;">Page 14</p> <p>1 customer distribution agreement. Northern was</p> <p>2 asking for the moon, and, quite frankly, the</p> <p>3 customer had enough of it. It doesn't say Northern</p> <p>4 Bottling Beverages on the front of those stores,</p> <p>5 and as a result of that, you have got to be</p> <p>6 flexible in terms of what you can provide to that</p> <p>7 customer.</p> <p>8 And we see that from a local standpoint</p> <p>9 and we see it from a national standpoint, and you</p> <p>10 have to be flexible, you have to listen, and you</p> <p>11 have to be selective on how you can get things done</p> <p>12 with those customers.</p> <p>13 Q. Did you have a chance to read the</p> <p>14 depositions of the general manager of Enerbase and</p> <p>15 the general manager of Envision, and the --</p> <p>16 A. I did.</p> <p>17 Q. -- general manager of the Devils Lake</p> <p>18 stores?</p> <p>19 A. I did.</p> <p>20 Q. And in reading those, did you form any</p> <p>21 views regarding the rationale or the reasons why</p> <p>22 those general managers actually kicked Northern out</p> <p>23 of the stores?</p> <p>24 A. Yeah, I think it was -- again, I think</p>	<p style="text-align: right;">Page 16</p> <p>1 A. Absolutely. You know, PBC is faced with</p> <p>2 some of the same issues, and they become flexible</p> <p>3 and try to make it work. You know, I worked in a</p> <p>4 high share market in Michigan, and, you know, it</p> <p>5 was important for us to align with the customer in</p> <p>6 order -- so both sides would have a successful</p> <p>7 outcome at the end of the year. That is the way</p> <p>8 that we did it, and it worked very, very well.</p> <p>9 I will tell you that I personally went</p> <p>10 out to see Langer. Larry Bowers was his franchise</p> <p>11 manager. We put together a very comprehensive</p> <p>12 program, including media, including merchandising</p> <p>13 that, you know, we could share with you, Jim. I</p> <p>14 don't know if you have seen it, but I could not</p> <p>15 believe when Langer came back and said, No thank</p> <p>16 you. I mean, it was just very comprehensive.</p> <p>17 So, yes, my role is to work with</p> <p>18 bottlers to drive their sales, to drive PepsiCo's</p> <p>19 sales, and to help them maneuver in their</p> <p>20 marketplace.</p> <p>21 Q. So is going on offense a part of the</p> <p>22 effort to prevent or to mitigate transshipment?</p> <p>23 A. Absolutely. I think if we would have</p> <p>24 implemented that program, I think we would have</p>

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
17-20

<p style="text-align: right;">Page 17</p> <p>1 had -- we would have been back in those stores.</p> <p>2 Q. One last question regarding this issue</p> <p>3 of transshipment outside of the northeast, but for</p> <p>4 the rest of the country, to kind of put it in</p> <p>5 perspective if you can for us.</p> <p>6 What percent, if you know, of case sales</p> <p>7 in independent bottler territories are transshipped</p> <p>8 cases?</p> <p>9 A. Less than 1 percent. It's very, very</p> <p>10 minimal, a very small amount. And, again, I'll go</p> <p>11 back to what happened in Minot was, the customer</p> <p>12 was so -- so angry and the Minot bottler was just</p> <p>13 so arrogant, that it just never worked, and they</p> <p>14 found a way to go find that product.</p> <p>15 MR. QUINN: No further questions.</p> <p>16 FURTHER EXAMINATION</p> <p>17 BY MR. RAGAIN:</p> <p>18 Q. Mr. Mercurio, what did Mr. Gokey -- when</p> <p>19 you said that you were flabbergasted or something</p> <p>20 about that he turned down this marketing program --</p> <p>21 A. Uh-huh.</p> <p>22 Q. -- assistance? What did he tell you?</p> <p>23 A. He just said, No thank you. He said, I</p> <p>24 have been in this situation before. I don't really</p>	<p style="text-align: right;">Page 19</p> <p>1 THE WITNESS: Thank you.</p> <p>2 MR. QUINN: No further questions.</p> <p>3 THE VIDEOGRAPHER: This marks the end of</p> <p>4 today's deposition. The time is 11:54 a.m. We are</p> <p>5 now off the record.</p> <p>6 THE REPORTER: And all of these are reserved</p> <p>7 signature?</p> <p>8 MR. QUINN: Yes.</p> <p>9 FURTHER DEPONENT SAITH NOT.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>
<p style="text-align: right;">Page 18</p> <p>1 want any help. They'll come back. I said, Really,</p> <p>2 Langer? I mean, it's a very comprehensive program.</p> <p>3 Larry Bowers is an excellent franchise development</p> <p>4 manager who works with Langer. He's probably one</p> <p>5 of the best franchise managers that I have out</p> <p>6 there, and we both worked on the program.</p> <p>7 So I'm not just a guy in New York</p> <p>8 saying, Okay, this is what is going to work in</p> <p>9 Minot, North Dakota. Larry put it together and did</p> <p>10 a really nice job of that, so we went to Langer and</p> <p>11 his team, which is -- I guess at the time was Bruce</p> <p>12 and Todd, and they just said, No thank you.</p> <p>13 They'll come back. I was just like, Okay.</p> <p>14 Q. That is all they said, they'll come</p> <p>15 back?</p> <p>16 A. Langer said, I have had this issue</p> <p>17 before, when I have been thrown out of accounts,</p> <p>18 and they will come back. I'm not going to give up</p> <p>19 my shelf space. And I said, Well, I'm not</p> <p>20 recommending you give up your shelf space, but you</p> <p>21 are going to have to be flexible on something in</p> <p>22 order to get this going. And then over time,</p> <p>23 hopefully you can get back to where you were.</p> <p>24 MR. RAGAIN: Okay. Thank you.</p>	<p style="text-align: right;">Page 20</p> <p>1 STATE OF ILLINOIS)</p> <p>2) SS:</p> <p>3 COUNTY OF C O O K)</p> <p>4 I, KRISTIN C. BRAJKOVICH, a Certified</p> <p>5 Shorthand Reporter of said state, do hereby</p> <p>6 certify:</p> <p>7 That previous to the commencement of the</p> <p>8 examination of the witness, the witness was duly</p> <p>9 sworn to testify the whole truth concerning the</p> <p>10 matters herein;</p> <p>11 That the foregoing deposition transcript</p> <p>12 was reported stenographically by me,</p> <p>13 was thereafter reduced to typewriting under my</p> <p>14 personal direction and constitutes a true record</p> <p>15 of the testimony given and the proceedings had;</p> <p>16 That the said deposition was taken</p> <p>17 before me at the time and place specified;</p> <p>18 That I am not a relative or employee</p> <p>19 or attorney or counsel, nor a relative or</p> <p>20 employee of such attorney or counsel for any of</p> <p>21 the parties hereto, nor interested directly or</p> <p>22 indirectly in the outcome of this action.</p> <p>23 IN WITNESS WHEREOF, I do hereunto set my</p> <p>24 hand and affix my seal of office at Chicago,</p>

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
21-24

Page 21		Page 23	
1	Illinois, this 3rd day of April, 2018.	1	DEPOSITION ERRATA SHEET
2		2	
3		3	Our Assignment No. J0595213
4		4	Case Caption: Northern Bottling Co., Inc., vs.
5		5	PepsiCo, Inc.
6		6	
7	C.S.R. Certificate No. 84-3810.	7	DECLARATION UNDER PENALTY OF PERJURY
8		8	
9		9	I declare under penalty of perjury that
10		10	I have read the entire transcript of my deposition
11		11	taken in the captioned matter or the same has been
12		12	read to me, and the same is true and accurate, save
13		13	and except for changes and/or corrections, if any,
14		14	as indicated by me on the DEPOSITION ERRATA SHEET
15		15	hereof, with the understanding that I offer these
16		16	changes as if still under oath.
17		17	
18		18	Signed on the _____ day of
19		19	_____, 20____.
20		20	
21		21	
22		22	
23		23	_____
24		24	MARIO MERCURIO
Page 22		Page 24	
1	I N D E X	1	DEPOSITION ERRATA SHEET
2	WITNESS EXAMINATION	2	
3	MARIO MERCURIO	3	Page No. _____ Line No. _____ Change To: _____
4	By Mr. Ragain 4, 17	4	Reason for Change: _____
5	By Mr. Quinn 13	5	Page No. _____ Line No. _____ Change To: _____
6		6	Reason for Change: _____
7		7	Page No. _____ Line No. _____ Change To: _____
8		8	Reason for Change: _____
9	E X H I B I T S	9	Page No. _____ Line No. _____ Change To: _____
10	NUMBER PAGE	10	Reason for Change: _____
11	NONE.	11	Page No. _____ Line No. _____ Change To: _____
12		12	Reason for Change: _____
13		13	Page No. _____ Line No. _____ Change To: _____
14		14	Reason for Change: _____
15		15	Page No. _____ Line No. _____ Change To: _____
16		16	Reason for Change: _____
17		17	Page No. _____ Line No. _____ Change To: _____
18		18	Reason for Change: _____
19		19	Page No. _____ Line No. _____ Change To: _____
20		20	Reason for Change: _____
21		21	Page No. _____ Line No. _____ Change To: _____
22		22	Reason for Change: _____
23		23	SIGNATURE: _____ DATE: _____
24		24	MARIO MERCURIO

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
25

Page 25

1 DEPOSITION ERRATA SHEET

2

3 Page No. _____ Line No. _____ Change To: _____

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24 MARIO MERCURIO

PEPSICO INC
NORTHERN BOTTLING vs PEPSICO

March 22, 2018
23

DEPOSITION ERRATA SHEET

Our Assignment No. J0595213

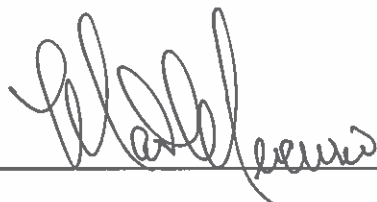
Case Caption: Northern Bottling Co., Inc., vs.
PepsiCo, Inc.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that
I have read the entire transcript of my deposition
taken in the captioned matter or the same has been
read to me, and the same is true and accurate, save
and except for changes and/or corrections, if any,
as indicated by me on the DEPOSITION ERRATA SHEET
hereof, with the understanding that I offer these
changes as if still under oath.

Signed on the 10 day of

April, 2018.



MARIO MERCURIO

ERRATA SHEET

CASE: NORTHERN BOTTLING VS. PEPSICO INC.

DATE: MARCH 22, 2018

WITNESS: MARIO MERCURIO

<u>PAGE</u>	<u>LINES</u>	<u>FROM</u>	<u>TO</u>	<u>REASON FOR CHANGE</u>
10	22	you know, Tropicana	you know, for Tropicana	mistranscription
11	23	do that bottler to try	do that for the bottler, to try	clarification
12	14	lost customer in	lost customers in	mistranscription
15	16	unfortunately couldn't	unfortunately they couldn't	clarification